

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN LEBBY,

Plaintiff,

CASE NO. 18-13711

v.

HON. GEORGE CARAM STEEH

PROCTOR & GAMBLE COMPANY
and ASTRA ZENECA MANUFACTURING
COMPANY,

Defendants.

_____ /

ORDER DENYING MOTION FOR SUMMARY JUDGMENT

Plaintiff filed his complaint against Proctor & Gamble Company and Astra Zeneca Manufacturing Company on November 28, 2018, without payment of the filing fee. After receiving a notice of deficiency from the clerk's office, Plaintiff filed an application to proceed *in forma pauperis* on December 11, 2018. The court will grant Plaintiff's application in a separate order.

Plaintiff has also filed a motion for summary judgment, alleging that Defendants are in default because they have failed to respond to the complaint. Because they have not been served, however, Defendants

have not received notice of the complaint. Therefore, Plaintiff's motion is premature and will be denied.

IT IS HEREBY ORDERED that Plaintiff's motion for summary judgment (Doc. 7) is DENIED.

Dated: December 19, 2018

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on December 19, 2018, by electronic and/or ordinary mail and also on John Lebby, 18425 Hickory Street, Detroit, MI 48205.

s/Barbara Radke
Deputy Clerk